

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ARTHUR LAMAR ADAMS AND
MADISON TIMBER PROPERTIES, LLC,

Defendants.

CAUSE NO. 3:18-cv-252-CWR-BWR

Related cases:

Alysson Mills v. BankPlus, et al., No.
3:19-cv-196 (S.D. Miss.)

*Alysson Mills v. The UPS Store, Inc., et
al.*, No. 3:19-cv-364 (S.D. Miss.)

Alysson Mills v. Trustmark, et al., No.
3:19-cv-941 (S.D. Miss.)

ORDER SETTING HEARING ON
MOTION TO APPROVE
PROPOSED SETTLEMENTS AND BAR ORDERS

Before the Court is the Motion to Approve Proposed Settlements and Bar Orders filed by Alysson Mills, in her capacity as the court-appointed receiver (the "Receiver") for Arthur Lamar Adams ("Adams") and Madison Timber Properties, LLC ("Madison Timber").

The motion asks the Court to approve proposed settlements totaling **\$19,200,000** with the following defendants as follows:

The BankPlus Parties	\$6,500,000
The Trustmark Parties	\$6,500,000
The RiverHills Parties	\$3,500,000
Tammy Vinson and Jeannie Chisholm (in full and complete	\$2,200,000

settlement and release of them
and their former employer
Rawlings & MacInnis)

Southern Bancorp	<u>\$500,000</u>
	\$19,200,000

The proposed settlements are contingent on the Court's entry of a bar order for each settling defendant's benefit. A bar order bars any person or non-regulatory entity from asserting claims against the settling defendant arising out of, in connection with, or relating to the Madison Timber Ponzi scheme. The Court previously entered a bar order as a condition of the Receiver's settlement with Butler Snow. Entry of bar orders that provide each defendant with assurance that it will not face additional claims is an essential, integral condition to the settlements without which the settlements would not have been reached, and without which the settlements cannot be consummated.

The Court, mindful that Madison Timber's victims, as the beneficiaries of the Receivership Estate, have a substantial interest in the Receiver's claims against the settling defendants and the proposed resolution of them, agrees with the Receiver that interested parties should have an opportunity to be heard before the proposed settlement is approved. The Court therefore **ORDERS** as follows:

1. The Court shall hold a hearing on the Motion to Approve Proposed Settlements and Bar Orders on **November 6, 2023 at 10:00 a.m. in Courtroom 5B, Thad Cochran United States Courthouse, 501 E. Court Street, Jackson, Mississippi, 39201**. The Receiver shall publicize any changes to the hearing's date, time, or

place on her website. Interested parties shall check the Receiver's website for any changes.

2. Interested Parties¹ who wish to submit comments or objections shall do so at least seven (7) days prior to the Court's hearing, either by submitting the comments or objections to the Court, or to the Receiver, or her counsel. Whether received by the Court, the Receiver, or her counsel, the comments or objections shall be filed into the record. Interested Parties who wish to address any proposed settlement at the hearing shall be given an opportunity to speak, to be represented by counsel, to present evidence and arguments, and to participate in the hearing if they so choose.
3. The Receiver shall provide notice and a detailed description of this Order Setting Hearing, the proposed Settlement Agreements, and the proposed Partial Final Judgments and Bar Orders and (1) instructions for obtaining those documents and (2) instructions for submitting comments or objections to all Interested Parties via U.S. Mail or email as follows:
 - A) by U.S. Mail, First Class postage prepaid, to each Interested Party at its last known mailing address, according to the Receiver's records;
 - B) by posting the documents and a prominent notice of the proposed settlements on the Receiver's website, www.madisontimberreceiver.com; and

¹ For purposes of this Order, "Interested Parties" is defined in the Settlement Agreements attached to the Receiver's Motion to Approve Proposed Settlements. Among others, "Interested Parties" includes Madison Timber investors and anyone holding a claim arising from alleged harm, injury, losses, or damages sustained as a result of the Ponzi scheme.

C) by U.S. Mail and by email to any attorneys who have notified the Receiver that they represent any Claimants or MTP Investors.²

The notice and hearing contemplated by this Order shall give interested parties a full and fair opportunity to be heard and shall give the Court the benefit of their opinions as the Court assesses the proposed settlements' merits. The notice and hearing contemplated by this Order is efficient and desirable under the circumstances, given the particular interests at stake.³

SO ORDERED, this the 11th day of October, 2023.

s/ Carlton W. Reeves _____
UNITED STATES DISTRICT JUDGE

² "Claimants" and "MTP Investors" as used here is defined in the Settlement Agreements.

³ The Court takes no position at this time on whether notice or hearing is appropriate prior to the Court's approval of possible future settlement with other parties.